

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TODD BROWN,

Plaintiff,

-against-

POLICE OFFICER PETER RUBIN, individually, and as a
member of the New York City Police Department,

Defendant.

**DECLARATION OF BRIAN
FRANCOLLA IN
SUPPORT OF
DEFENDANT'S PRETRIAL
SUBMISSIONS
CONCERNING MATTERS
TO BE RESOLVED *IN
LIMINE***

10 CV 4675 (ERK) (LB)
----- X

BRIAN FRANCOLLA, declares under penalty of perjury and pursuant to 28 U.S.C. § 1746 that the following statements are true and correct.

1. I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendant Police Officer Peter Rubin.

2. As such, I am familiar with the facts stated below and, as well, submit this declaration to place relevant documents on the record in support of defendant's motions *in limine*.

2. Annexed hereto as Exhibit "A" is a copy of excerpts from Plaintiff's deposition, which was taken on May 11, 2011.

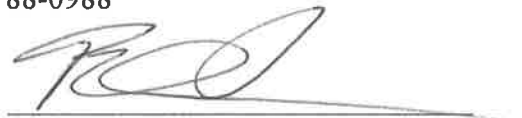
3. Annexed hereto as Exhibit "B" is a copy of excerpts from Christine Brown's deposition, which was taken on February 23, 2012.

4. Annexed hereto as Exhibit "C" is a copy of excerpts from defendant Police Officer Peter Rubin's deposition, which was taken on May 12, 2011.

Dated: New York, New York
March 9, 2012

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for Defendant
100 Church Street
New York, New York 10007
(212) 788-0988

By:



BRIAN FRANCOLLA
Assistant Corporation Counsel
Special Federal Litigation Division

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MICHAEL A. CARDOZO

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Attorney for Defendant
100 Church Street
New York, New York 10007*

*Of Counsel: Brian Francolla
Tel: (212) 788-0988
NYCLIS No. 2010-040355*

Due and timely service is hereby admitted.

New York, N.Y., 2012

..... Esq.

Attorney for